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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/388,373	09/01/1999	MASAHIKO YOKOTA	862.3008	3894
5514	7590	11/18/2004	EXAMINER	
FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			SAX, STEVEN PAUL	
			ART UNIT	PAPER NUMBER
			2174	

DATE MAILED: 11/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/388,373

Applicant(s)

YOKOTA, MASAHIKO

Examiner

Steven P Sax

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 6/15/04.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 3-13 and 15-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 3-13, 15-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This application has been examined. The amendment filed 6/15/04 has been entered. Claims 1-2 and 14 are cancelled.

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 3-13, 15-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Webb et al (5727135) and Yang et al (5760412).

4. Regarding claim 3, Webb et al show in Figure 1 the following: a system and method for controlling a remote apparatus (16) from an external device (11) connected (19, 21) to the remote apparatus. The apparatus has a control panel (35) for specifying a processing operation which is operated in accordance with an indication from the control panel or an externally supplied command (Figure 1 – elements 12, 14, 35, 63). Webb et al show detecting a paper-jam, out of paper and displaying error and alert information (column 3 lines 35-55, column 23 lines 40-54), displaying on the external device a virtual control panel (Figure 1 element 63) having the appearance identical or similar to at least part of the control panel of the remote apparatus including printer status and alert information, and generating an operational command from the virtual

control panel for operating the remotely controlled apparatus (column 4 lines 42-67, column 5 lines 1-10, summary). Webb et al do not specifically show the remote apparatus having a reader performing a reading operation of the document and detecting that the document has been set to the reader per se, but do disclose remote apparatuses (column 6 lines 26-29) to access all the features of the panel as if physically present in order to effectively view and operate the remote apparatus. Furthermore, Yang et al show remotely sensing a document on the transparent surface of a scanner (abstract, column 4), thus reading the document and transmitting indications back to a remote host computer, to thus access all the features of the scanner panel as if present, in order to effectively view and operate the remote apparatus. It would have been obvious to a person with ordinary skill in the art to use the image reader of Yang et al in the system of Webb et al, because it would allow remote sensing and accessing of all features of a panel as if physically present, in order to effectively view and operate the remote apparatus. See again Webb et al column 3 lines 62-67.

5. Regarding claim 4, in addition to that mentioned for claim 3, Webb et al show an information processing apparatus (Figure 1 element 11) capable of supplying a command to the remotely controllable apparatus and a display unit (Figure 1 element 13) and a display unit (13) and input device (12, 14) connected to the information processing apparatus for displaying printer status and alert information (column 3 lines 36-53, column 23 lines 45-55), wherein the information processing apparatus includes: a discriminating means, and communications protocol for establishing correspondence

between a command, which operation of the control panel causes to be applied to the remotely controlled apparatus, and an operation performed on the virtual control panel (Figure 1 element 63, column 4 lines 43-67). Webb et al also show the bi-directional communications and LAN (Figure 1) for supplying the remotely controllable apparatus with the command corresponding to the operation performed on the virtual control panel (column 3 lines 50-67). Regarding the remote apparatus having the reader and detecting that the document has been set to the reader, see Yang et al column 6 lines 20-45. The obviousness to combine this feature into the system of Webb et al follows the same obviousness as described in paragraph 4 of this Office Action.

6. Regarding claims 5, the system of Webb et al discloses the operation is a designation of a position on the virtual control panel (column 4 lines 21-36.)

7. Regarding claim 6, the display means displays the virtual panel based upon control panel information obtained from the remotely controlled apparatus (column 4 lines 21-36).

8. Regarding claim 7, the system of Webb et al displays the virtual control panel based upon control panel information processed by the information processing apparatus (column 6 lines 44-53).

9. Regarding claim 8, the system of Webb et al show control panel information is read out of a recording medium and recorded in advance and utilized by the information processing apparatus (column 6 lines 55-67).

10. Regarding claim 9, the optical scanner in Yang is inherently image forming.

11. Regarding claim 10-11, the system of Webb displays information on the panel instantly in the event of a jam, feed error (column 4 lines 25-30) from the remote apparatus in order to have real time access remotely for all the panel functions and interactions. Furthermore, Yang et al show indicating whether the document is present by displaying "Start" "NewDocument" when sensing a document (column 5 lines 25-30). It would have been obvious to a person with ordinary skill in the art to have this as one of the events remotely signaled to be displayed on the panel, because it would help allow real time access remotely for all panel functions and interactions.

12. Regarding claim 12, the system of Webb et al shows the virtual control panel may be altered to meet user needs and enhance the user interface (column 7 lines 62-67 and column 8 lines 1-5).

13. Claim 13 shows the same features as claim 3 and is rejected for the same reasons.

14. Regarding claims 15-16, 18-19, 21-22, in addition to that mentioned for claim 4, the system of Webb et al shows authorization data concerning each user (column 7 lines 54-67) and has configuration for establishing the ID of the user connected to the network (column 19 lines 17-59). Thus, authorization data is disclosed.

15. Claims 17 and 20 show the same features as claim 4 and are rejected for the same reasons.

16. Claims 23 shows the same features as claim 3 and are rejected for the same reasons.

17. Regarding claim 24, in addition to that mentioned for claim 3, Webb et al show the command is transmitted based on manipulation of the control panel (column 7 lines 50-60).

18. Regarding claim 25, in addition to that mentioned for claim 3, Webb et al show the command may be transmitted without any manipulation of the control panel.

19. Regarding claims 26, 28, 30, 32, in addition to that mentioned for claim 3, Webb et al has configuration for establishing an edited virtual control panel for each multiple user according to user input of user ID (column 21 lines 45-67).

20. Regarding claims 27, 29, 31, in addition to that mentioned for claim 4, Webb et al has configuration for establishing an edited virtual control panel for each multiple user according to user input of user ID (column 21 lines 45-67).

21. Applicant's arguments filed 6/15/04 have been fully considered but they are not persuasive. The system of Yang et al does in fact detect the document being set. See column 6 lines 20-45. Given this, the combination with Webb et al thus flows to display the virtual control panel accordingly.

22. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

23. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven P Sax whose telephone number is 703-305-9582. The examiner can normally be reached on M-F 8:30AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on 703-308-0640. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2174

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



STEVEN SAX
PRIMARY EXAMINER